Remarks

This application has been carefully reviewed in light of the Office Action mailed September 7, 2010 ("Final Office Action"). At the time of the Final Office Action, claims 1-41 were pending in this application, all of which were rejected. Applicant has amended claims 1, 14 and 29. No new matter has been introduced by these amendments. Reconsideration of the above-identified application is respectfully requested.

The Examiner rejected claims 1, 4, 5, 8, 14-18, 20, 29-31, 33, and 34 under 35 U.S.C. §103(a) as being unpatentable over Bezos et al., U.S. Patent No. 6,029,141 (*Bezos*) in view of Johnson et al., U.S. Patent No. 6,067,525 (*Johnson*). Applicant traverses this rejection because the proposed combination of *Bezos* and *Johnson* does not teach or suggest the pending claims. Favorable reconsideration of the claims is respectfully requested for the following reasons.

Claim 1, in relevant part, recites:

> an inventory database queried via the multimedia user interface to determine if ***one or more unreserved products in-process*** match the user-selected manufactured product configuration; a sales processor operable to receive a user reservation of an ***unreserved product in-process*** if the user-selected manufactured product configuration at least partially matches the ***one or more unreserved products in-process*** in the inventory database; an order processor operable to receive a custom order from the user if the user-selected manufactured product configuration does not at least partially match the ***one or more unreserved products in-process*** in the inventory database.
>
> (Emphasis added).

The proposed combination of *Bezos* and *Johnson* does not teach or disclose at least these limitations of claim 1. For example, the combination does not teach "one or more ***unreserved*** products in-process" (emphasis added) as recited in claim 1. Further, the combination does not teach that an inventory database is queried to determine if the one or more unreserved products in-process match the product configuration selected by the user. The

Examiner agrees that *Bezos* does not teach a "product in-process." (Final Office Action, p. 4). Rather, the Examiner looks to the teachings of *Johnson* for this limitation of claim 1. (Final Office Action, p. 5).

A non-limiting example of support for "one or more unreserved products in-process" is in at least p. 12, l. 20 – p. 13, l. 5 and figure 4A of Applicant's originally filed specification and as reproduced below:

> An ***in-process product*** is defined as a product that is on the order bank to be manufactured, a product in the manufacturing process, or a product that is in transit to the retail outlet or dealerships … ***The consumer may be warned that there is a possibility that the vehicle has been tagged or sold to someone who may have purchased the vehicle prior to the consumer's effort to locate and tag the vehicle.*** This may occur due to lag time in updating the inventory databases.
>
> (Emphasis added).

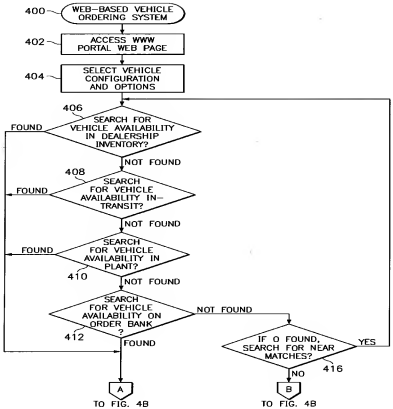

FIG. 4A

This example passage and figure provide that the user reservation is related to an unreserved product in-process. For at least this reason, the proposed amendments find support in the originally filed specification.

Johnson discloses an integrated computerized sales force automation system. The *Johnson* reference is directed to the sales life cycle of products configured by salespersons on behalf of customers. (See *Johnson*, col. 7, ll. 43 – 44). *Johnson* discloses a change order module that "allows a salesperson to request change to orders ***that have already been submitted to the manufacturer***" (emphasis added). Further, the change order module in *Johnson* merely allows revisions to ordered products from a customer. (*Johnson*, col. 18, ll. 17 – 26). In contrast, claim 1 recites that the one or more products in-process are unreserved and, further, that the inventory database is queried to determine if one or more unreserved products in-process

match a user-selected manufactured product configuration. Accordingly, claim 1 is patentably distinct from the combination of *Bezos* and *Johnson*.

Claim 1 is patentable for additional reasons. Claim 1 further recites that an order processor is operable to receive a custom order from a user if "the user-selected manufactured product configuration ***does not at least partially match*** the one or more unreserved products in-process in the inventory database" (emphasis added). *Johnson* does not teach this limitation of claim 1. Rather, *Johnson* discloses a general sales order system for ordering configured products. (*Johnson*, col. 17, ll. 39 – 58, col. 28, l. 60 – col. 29, 8 and Figures 17 and 18). While the *Johnson* system does receive custom orders from a customer, claim 1 contrarily recites an order processor that receives custom orders ***if*** there is not at least a partial match between a product configuration and the one or more unreserved products in-process. Accordingly, for at least this reason, the combination of *Bezos* and *Johnson* further fails to teach or disclose claim 1.

For at least these reasons, claim 1 is patentable over the proposed combination of *Bezos* and *Johnson*. Claims 4, 5, and 8 each depend from independent claim 1. Accordingly, these claims are allowable based at least on their dependency from claim 1. Applicant kindly request the Examiner to reconsider claims 1, 4, 5, and 8.

Claim 14 recites, in relevant part:

> querying an inventory database to determine if ***one or more unreserved products in-process*** match the online customer-selected product configuration; receiving a reserved online order of an ***unreserved product in-process*** from the online customer if the online customer selected product configuration at least partially matches the ***one or more unreserved products in-process*** in the inventory database; receiving a custom online order from the online customer if the online customer selected product configuration does not at least partially match the ***one or more unreserved products in-process*** in the inventory database.
>
> (Emphasis added).

For at least the reasons set forth above with respect to patentable subject matter of claim 1, the combination of *Bezos* and *Johnson* does not teach the limitations of claim 14. For example, the proposed combination does not disclose "unreserved products in-process," as recited in claim 14. Further, neither *Bezos* nor *Johnson* disclose a determination of whether "one or more unreserved products in-process match the online customer selected product configuration," as recited in claim 14. Claim 14 is patentable for at least the additional reasons set forth above with respect to claim 1. Thus, claim 14 is patentable over the proposed combination.

Claims 15-18 and 20 each depend from independent claim 14. Accordingly, these claims are also allowable based at least on their dependency from claim 14. Applicant kindly requests the Examiner to reconsider claims 14-18 and 20.

Claim 29 recites, in relevant part:

> capturing an online order containing at least one manufactured product identifier and specifying the manufactured product configuration, *the manufactured product being a reserved online order of* ***an unreserved product in-process*** from an online customer if the online customer selected manufactured product configuration at least partially matches ***one or more unreserved products in-process*** in an inventory database or a custom online order from the online customer if the online customer selected manufactured product configuration does not at least partially match the ***one or more unreserved products in-process*** in the inventory database.
>
> (Emphasis added).

The combination of *Bezos* and *Johnson* does not teach the limitations of claim 29. For example, the proposed combination does not disclose "unreserved products in-process," as recited in claim 29. Further, neither *Bezos* nor *Johnson* disclose a determination of whether the "online customer selected manufactured product configuration at least partially matches the one or more unreserved products in-process," as recited in claim 29. Additionally, the combination of *Bezos* and *Johnson* fails to teach claim 29 for at least the reasons set forth above with respect

to the patentable subject matter of claims 1 and 14. Thus, claim 29 is patentable over the proposed combination.

Claims 30, 31, 33, and 34 each depend from independent claim 29. Accordingly, these claims are also allowable based at least on their dependency from claim 29. Applicant kindly requests the Examiner to reconsider claims 29-31, 33, and 34.

Claims 2, 3, 6, 7, 9, 10-13, 19, 21-28, 32, and 35-41 have been rejected as being unpatentable under 35 U.S.C. §103(a) over the combination of *Bezos*, *Johnson*, and at least one other reference. Applicant submits that each of these claims are allowable based on their direct or indirect dependency from one of claims 1, 14, or 29. As described above, claims 1, 14, and 29 are allowable because the proposed combination of *Bezos* and *Johnson* fails to teach the limitations of claims 1, 14, and 29. None of these additional references make up for the deficient teachings of the proposed combination. Furthermore, these dependent claims are patentable for the further limitations that they add which make them separately allowable. As such, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2, 3, 6, 7, 9, 10-13, 19, 21-28, 32, and 35-41.

Applicant does not acquiesce in the Examiner's characterizations of the art. For brevity and to advance prosecution, Applicant may not have addressed all characterizations of the art and reserve the right to do so in further prosecution of this or a subsequent application. The absence of an explicit response by Applicant to any of the Examiner's positions does not constitute a concession to the Examiner's positions. The fact that Applicant's comments have focused on particular arguments does not constitute a concession that there are not other arguments for patentability of the claims. Applicant submits that all of the dependent claims are patentable for at least the reasons given with respect to the claims on which they depend.

The Petition fee of $130 pursuant to 37 C.F.R. § 1.17(a)(2) is being charged to our Deposit Account No. 06-1510 via electronic authorization submitted concurrently herewith.

Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 06-1510.

Respectfully submitted,

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